

1
2 BILL NO. S-75-05-36

3
4 SPECIAL ORDINANCE NO. S- 98-25

5 AN ORDINANCE approving and authorizing the City of
6 Fort Wayne to execute and deliver amendments to
7 Lease and Supplemental Mortgage and Indenture
8 of Trust for its "Economic Development Revenue
9 Bonds, Series 1974 (New Haven Wire and Cable
10 Inc. Project)"

11 WHEREAS, the Fort Wayne Development Commission has adopted a
12 Resolution on May 23, 1975, which resolution has been previously transmitted
13 hereto, ratifying and reapproving the financing of certain economic development
14 facilities of New Haven Wire and Cable, Inc. and finding that said Project con-
15 tinues to comply with the purposes and provisions of I.C. 1971, 18-6-4.5, as
16 supplemented and amended, and that such financing continues to be of benefit
17 to the health and welfare of the municipality and its citizens; and

18 WHEREAS, the Fort Wayne Development Commission has heretofore
19 approved and recommended the adoption of the proposed form of Ordinance by
20 this Common Council.

21 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
22 THE CITY OF FORT WAYNE, INDIANA:

23 SECTION 1. It is hereby found that the financing of the economic
24 development facilities referred to in the Lease Agreement, previously approved
25 by this Common Council, the issuance and sale of revenue bonds previously
26 issued and sold and approved by this Common Council, the lease of said
27 facilities to New Haven Wire and Cable, Inc., the payment of the revenue bonds
28 by rent payments of New Haven Wire and Cable, Inc. under the Lease Agreement
29 and Amendments to Lease Agreement, and the securing of said bonds by the
30 mortgaging of such facilities to the Trustee under the Mortgage and Indenture
31 of Trust and Supplemental Mortgage and Indenture of Trust and the guaranty of
32 the payment thereof by New Haven Wire and Cable, Inc. to the Trustee under
33 the Guaranty Agreement will be of benefit to the health and welfare of the City
34 of Fort Wayne, and its citizens and does comply with the purposes and provi-
35 sions of I.C. 1971, 18-6-4.5, as supplemented and amended.

SECTION 2. The forms of the Amendments to Lease, Supplemental
Mortgage and Indenture of Trust and Guaranty Agreement approved by the Fort
Wayne Development Commission are hereby approved in their final form and all
such documents shall be incorporated herein by reference and shall be inserted
in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 3. The Mayor and City Clerk are authorized and directed
to execute and deliver the Amendments to Lease and Supplemental Mortgage and
Indenture of Trust approved herein on behalf of the City of Fort Wayne and any
other document which may be necessary or desirable in connection therewith,
including any bonds transferred pursuant thereto. The signatures of the Mayor
and City Clerk on the bonds and coupons may be either manual or facsimile

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APPROVED AS TO FORM
AND LEGALITY,
[Signature]
CITY ATTORNEY

signature.

SECTION 4. The provision of the July 30, 1974 Ordinance, this Ordinance and the Mortgage and Indenture of Trust, as supplemented and amended, securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bonds Series 1974 (New Haven Wire and Cable, Inc. Project)

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 5-27-75.

CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
KRAUS	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS				<u>X</u>	
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 6-10-75

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution No. S-98-75 on the 10th day of June, 1975.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1975, at the hour of 11:00 o'clock A., E.S.T.

CITY CLERK

Approved and signed by me this 11th day of June, 1975, at the hour of 12:30 o'clock P. M., E.S.T.

MAYOR

Bill No. S-75-05-36

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving and authorizing the City of Fort Wayne to execute and deliver
amendments to Lease and Supplemental Mortgage and Indenture of Trust for its
"Economic Development Revenue Bonds, Series 1974 (New Haven Wire and Cable
Inc. Project)"

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

John Nuckols

Winfield C. Moses, Jr.

Paul M. Burns

Vivian G. Schmidt

William T. Hinga

John Nuckols

Winfield C. Moses Jr.

Paul M. Burns

DATE 6-10-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Admn. Appr. ✓

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL A-75-05-36

DEPARTMENT REQUESTING ORDINANCE ECONOMIC DEVELOPMENT COMMISSION

SYNOPSIS OF ORDINANCE Approving and authorizing the City of Fort Wayne to
execute and deliver amendments to Lease and Supplemental Mortgage and
Indenture of Trust for its "Economic Development Revenue Bonds, Series 1974
(New Haven Wire and Cable Inc., Project)"

EFFECT OF PASSAGE Will transfer trusteeship and ownership of bonds from Anthony

Wayne Bank to Indiana Bank

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) NONE

ASSIGNED TO COMMITTEE (PRESIDENT) Emore